

MAR. 19. 1999 3:36PM

CH&S

NO. 2033 P. 2

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**OMEGA-3 FATTY ACIDS AND OMEGA-3 PHOSPHATIDYLCHOLINE IN
THE TREATMENT OF BIPOLAR DISORDER**

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices and fill in the blanks, if applicable):

 X is attached hereto

 was filed on as Application
Serial No. and amended on (if applicable).

 X was filed as PCT international application No. PCT/US97/06712,
on April 23, 1997 and was amended under PCT Article 19
on (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s): Priority Claimed

| | | | | |
|-------------------------------|--------------------------------|---|---------------|--------------|
| <u> </u> (Number) | <u> </u> (Country) | <u> </u> (Day/Month/Year/Filed) | <u> </u> Yes | <u> </u> No |
|-------------------------------|--------------------------------|---|---------------|--------------|

| | | | | |
|-------------------------------|--------------------------------|---|---------------|--------------|
| <u> </u> (Number) | <u> </u> (Country) | <u> </u> (Day/Month/Year/Filed) | <u> </u> Yes | <u> </u> No |
|-------------------------------|--------------------------------|---|---------------|--------------|

MAR. 19. 1999 3:37PM

CH&S

NO. 2033 P. 3

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|---------------------------------|----------------------|--|
| <u>(Application Serial No.)</u> | <u>(filing date)</u> | <u>(status-patented, pending, abandoned)</u> |
|---------------------------------|----------------------|--|

| | | |
|---------------------------------|----------------------|--|
| <u>(Application Serial No.)</u> | <u>(filing date)</u> | <u>(status-patented, pending, abandoned)</u> |
|---------------------------------|----------------------|--|

PCT Applications designating the United States:

| | | |
|-----------------------|-----------------------|---------------------------------------|
| <u>PCT/US97/06712</u> | <u>April 23, 1997</u> | <u>Published</u> |
| (PCT Appl. No.) | (filing date) | (status-patented, pending, abandoned) |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

| | | |
|---------------------------|--------------|---------------|
| <u>Application Number</u> | <u>Filed</u> | <u>Status</u> |
|---------------------------|--------------|---------------|

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Brenda Herschbach Jarrell, Reg. No. 39,223; Sam Pasternack, Reg. No. 29,576; David J. Powsner, Reg. No. 31,868; Paul A. Pysher, Reg. No. 40,780 and Kevin M. Tormey, Reg. No. 41,351; Elizabeth E. Nugent, Reg. No. 43,839, Karoline Shair, Reg. No. 44,332.

Address all telephone calls to Sam Pasternack at telephone no. (617) 248-5000.

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P. 5

MAR 19 1999 3:37PM

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NO. 2033 P. 4

Address all correspondence to Sam Pasternack, Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109-2891.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor: Andrew L. Stoll

Inventor's signature: [Signature] Date: 3/19/99

Residence: 35 Old Winter Street Lincoln MA 01773

Citizenship: U.S.A.

Post Office Address: same

Full name of second inventor: Wolfram E. Severus

Inventor's signature: _____ Date: _____

Residence: Badensche Strasse 7, D-10825 Berlin (DE)

Citizenship: Germany

Post Office Address: same

CHOATE HALL & STEWART 02109-2891

NO. 494 P. 1

Address all correspondence to Sam Pasternack, Choate, Hall & Stewart, Exchange Place, 53
State Street, Boston, Massachusetts 02109-2891.

I hereby declare that all statements made herein of my own knowledge are true and that
all statements made on information and belief are believed to be true; and further that these
statements were made with the knowledge that willful false statements and the like so made are
punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State
Code and that such willful false statements may jeopardize the validity of the application or any
patents issued thereon.

Full name of first inventor: Andrew L. Stoll

Inventor's signature: _____ Date: _____

Residence: 35 Old Winter Street, Lincoln, MA 01773

Citizenship: U.S.A.

Post Office Address: same

Full name of second inventor: Wolfram E. Severus

Inventor's signature: W. E. Severus Date: 3/23/99

Residence: Badensche Strasse 7, D-10825 Berlin (DE)

Citizenship: Germany

Post Office Address: same

APR 11 1999 09:43AM CHAMBERLAIN & STEPHEN 248-4000

NO. 49d 11.5

ATTORNEY DOCKET NO.: 2002082-0001

Applicant: Stoll, et al.

Serial No.:

Filed:

For:

**OMEGA-3 FATTY ACIDS AND OMEGA-3 PHOSPHATIDYLCHOLINE IN
THE TREATMENT OF BIPOLAR DISORDER****VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
37 CFR 1.9(f) and 1.27(b)
INDEPENDENT INVENTOR**

As below-named inventor, We/I hereby declare that we/I qualify as independent inventors as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35 United States Code with regard to the invention titled:

**TITLE: OMEGA-3 FATTY ACIDS AND OMEGA-3 PHOSPHATIDYLCHOLINE IN
THE TREATMENT OF BIPOLAR DISORDER**

by:

INVENTOR(S): Andrew L. Stoll, Wolfram E. Severus

described in:

- (X) the specification filed herewith
() U.S. Patent Application Serial Number _____
filed _____
() U.S. Patent Number _____
issued _____

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern that would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed, or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- (X) no such person, concern, or organization
() persons, concerns, or organizations listed below*:

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention, averring to their status as small entities. (37 CFR 1.27).

CHOATE HALL & STEWART 248-4020

110.494 P.6

FULL NAME: _____
ADDRESS: _____
() INDIVIDUAL () SMALL BUSINESS CONCERN () NON-PROFIT ORGANIZATION

FULL NAME: _____
ADDRESS: _____
() INDIVIDUAL () SMALL BUSINESS CONCERN () NON-PROFIT ORGANIZATION

FULL NAME: _____
ADDRESS: _____
() INDIVIDUAL () SMALL BUSINESS CONCERN () NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR: Andrew L. Stoll
ADDRESS OF INVENTOR: 35 Old Winter Street, Lincoln, MA 01773

SIGNATURE: _____ DATE: _____

NAME OF INVENTOR: Wolfram E. Severus
ADDRESS OF INVENTOR: Badensche Strasse 7, D-10825 Berlin (DE)

SIGNATURE: W. E. Severus DATE: 3/23/99

MAR. 19, 1999 3:38PM

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NO. 2033 P. 6

FULL NAME: _____

ADDRESS: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

FULL NAME: _____

ADDRESS: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

FULL NAME: _____

ADDRESS: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR: Andrew L. StollADDRESS OF INVENTOR: 35 Old Winter Street, Lincoln, MA 01773SIGNATURE: DATE: 3/19/97NAME OF INVENTOR: Wolfram E. SeewaldADDRESS OF INVENTOR: Badensche Strasse 7, D-10825 Berlin (DE)

SIGNATURE: _____

DATE: _____

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